



**U.S. Department of Justice**

Executive Office for United States Attorneys

General Counsel's Office

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September 8, 2015

John R. Sandweg  
Dennis K. Burke  
Frontier Solutions  
1401 H Street NW, Suite 875  
Washington DC 20005

Re: United States v. Michael Segal, Case No. 02-CR-112  
Appeal Nos. 13-3847, 14-2214, 14-2215, 14-3533

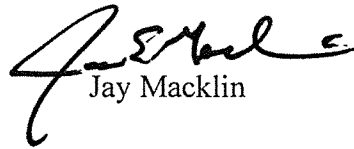
Dear Mr. Sandweg and Mr. Burke:

I have reviewed the allegations in your letter to me dated August 25, 2015, and determined that no further action is needed at this time. In my opinion, First Assistant United States Attorney Joel Levin of the United States Attorney's Office for the Northern District of Illinois (USAO) does not have a conflict or an appearance of a loss of impartiality that requires recusal. Although Mr. Levin did work for Perkins Coie from 2008 until 2014, the civil suits to which you refer were dismissed in 2006, while Mr. Levin was still working for the USAO. Further, although a Perkins Coie attorney is still an attorney of record in the pending matter, Perkins Coie was only representing witnesses who are no longer of any significance to the issues on appeal.

In regards to your allegations concerning Assistant United States Attorney Bill Hogan, an attorney's zealous advocacy for the United States is not a basis for recusal. I further wish to reiterate the response you received from the Office of Professional Responsibility (OPR) in 2013. It is OPR's policy to refrain from investigating allegations that were addressed or could have been addressed in the course of litigation, unless a court has made a finding of misconduct by a Department of Justice attorney or there are extraordinary circumstances that warrant investigation. Your allegations either were submitted or could have been submitted to the court for its consideration, yet there was no finding of professional misconduct. In addition, OPR determined that there are no extraordinary circumstances that warrant further inquiry.

Thank you for your correspondence. Please note that the Department takes allegations such as these seriously. The United States Attorneys' Offices (USAOs) seek in all their proceedings to maintain the utmost ethical and professional conduct. It is the goal of the USAOs to guarantee a fair trial to all citizens who come under federal prosecution.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay Macklin", written in a cursive style. The signature is positioned above the printed name "Jay Macklin".

Jay Macklin